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AF/1623
PATENT
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TECH CENTER 1600/2900

Group Art Unit: 1623

Examiner: H. Owens, Jr.

In re Application of:

GILBERT V. LEVIN

Serial No.: 09/811,654

Filed: March 20, 2001

For: USE OF TAGATOSE IN PROMOTING
CARDIOVASCULAR HEALTH

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated March 11, 2003 of the Primary Examiner finally rejecting claims 1-7.

The items checked below are appropriate:

- Appeal fee (37 C.F.R. 1.17(e))
 other than small entity - \$320.00
 small entity - \$160.00
 Applicant claims small entity status. See 37 CFR 1.27.
- Applicant(s) petition(s) for an extension of _____ month(s) to respond and submits herewith the fee of \$_____.
- A check in the amount of \$160.00 is attached.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 18-2220. A duplicate copy of this sheet is attached.
 Any additional excess claim fees under 37 C.F.R. § 1.16.
 Any additional patent application processing fees under 37 C.F.R. § 1.17.

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Dated: June 12 2003